

UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

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CHASE BANK USA, N.A.,

Plaintiff,

-vs-

HESS KENNEDY CHARTERED, LLC; et al.,

Defendants.

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:  
: **AFFIDAVIT OF SERVICE**  
: **UPON HESS KENNEDY**  
: **CHARTERED, LLC**  
:  
:

: Case No. 08-121  
:  
:  
:  
:

I, Patricia Dawkins, Process Server, do hereby make oath and do solemnly swear:

1. That I am a non-party to this action over the age of 21 years and a resident of the Cayman Islands, which is a territory of the United Kingdom;
2. That I am employed as a clerk by Broadhurst Barristers, a law firm whose business address is 40 Linwood Street, George Town, Grand Cayman, Cayman Islands, and am authorized to serve legal process in the Cayman Islands;
3. That on or about March 13, 2008, I was instructed by Kyle Broadhurst, a barrister and attorney admitted to practice law in the Cayman Islands employed by Broadhurst Barristers, in turn acting upon the instructions of Legal Language Services, an international litigation support firm located in Leawood, Kansas, in turn acting upon the instructions of Plaintiff's attorney of the law firm Ballard Spahr Andrews & Ingersoll, LLP to serve upon Defendant Hess Kennedy Chartered, LLC the following documents:

- Hague Service Convention “*Notice*”
  - Hague Service Convention “*Summary of the Document to be Served*” with Attachment A
  - *Summons in a Civil Case*
  - *Notice of Availability of a U.S. Magistrate Judge to Exercise Jurisdiction*
  - *Civil Cover Sheet*
  - *Complaint with Exhibits A - P*
4. That according to research performed by Broadhurst Barristers, the registered office and address for service of process upon Hess Kennedy Chartered, LLC is c/o ATC Trustees (Cayman) Limited, PO Box 30592 SM, 2<sup>nd</sup> Floor, Piccadilly Centre, George Town, Cayman Islands (See Cayman Islands Registrar of Companies Search Report, attached hereto as Exhibit A);
5. That on the 13<sup>th</sup> day of March at approximately 3:55 pm. I did personally travel to the registered address of Hess Kennedy Chartered, LLC where I met with Nancy Saur, Regional Head of Compliance and Risk Management for ATC Trustees; that I told Ms. Saur that I had documents for service upon Hess Kennedy Chartered, LLC and she indicated that she was empowered to accept service of process on behalf of the defendant; that I handed the documents to her and said, “You are served with legal process on behalf of Hess Kennedy Chartered, LLC” and she accepted the documents and, as confirmation of delivery, signed Broadhurst Barristers’ cover letter and a duplicate copy of the Summons, copies of which are attached hereto as Exhibit B;
6. That Ms. Saur is a caucasian female in her mid 40s, approximately 5’9” tall, with a medium build, and short white hair;
7. That I believe service to have been effected in accordance with a method prescribed by the internal laws of the Cayman Islands for civil matters within this

jurisdiction and thus in accordance with sub-paragraph (b) of Article 10 of the *Hague Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters*; and

8. That all information herein given accords with the rules and customary procedures applicable and operative in the Cayman Islands at the time of effecting service.

I declare under penalty of perjury under the laws of the United States and the Cayman Islands that the foregoing statements are true and accurate to the best of my knowledge and belief.



Patricia Dawkins, Process Server

Sworn before me in George Town           )  
Grand Cayman, Cayman Islands           )  
This 19th day of March 2008               )

  
\_\_\_\_\_  
Notary Public

**EXHIBIT A**

**CAYMAN ISLANDS REGISTRAR OF COMPANIES  
SEARCH REPORT**



## Search Report

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**Entity Name :** HESS KENNEDY COMPANY CHARTERED BWI

**Jurisdiction :** Cayman Islands

**Registration Number :** 183770

**Registration Date :** 14 March 2007

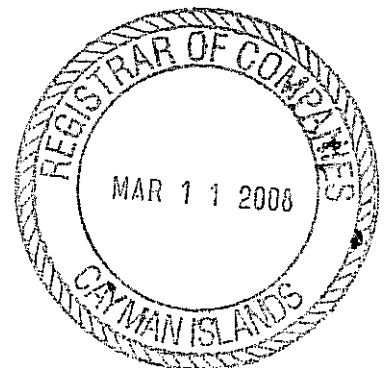
**Entity Type :** EXEMPT

**Registered Office :** ATC TRUSTEES (CAYMAN) LIMITED  
PO BOX 30592 SM  
2ND FLOOR, PICCADILLY CENTRE  
GEORGE TOWN

**Status :** ACTIVE

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- INFORMATION REGARDING THE CORPORATE RECORDS AND REGISTERS ARE NOT AVAILABLE FOR PUBLIC INSPECTION
- THIS REPORT DOES NOT CONFIRM THE ENTITY IS IN GOOD STANDING



**EXHIBIT B**

**SIGNED LETTER AND SUMMONS  
CONFIRMING SERVICE**

# BROADHURST BARRISTERS

March 13, 2008

**DELIVERED BY HAND**

Hess Kennedy Company Chartered BWI.  
C/O ATC Trustees (Cayman) Limited  
PO Box 30592 SMB  
Cayside 2<sup>nd</sup> Floor, Harbour Dr  
George Town

Dear Sirs,

**Re: CHASE BANK USA, NA., vs. HESS KENNEDY CHARTERED, LLC & ORS.**

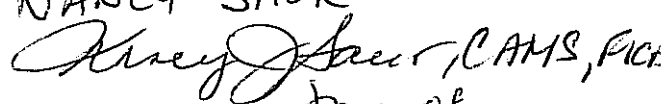
We have been instructed with respect to the service of the following documents upon you:

1. Hague Service Convention "Notice"
2. Hague Service Convention "Summary" with Attachment "A"
3. Summons in a Civil Case
4. Notice of availability of a US Magistrate Judge to Exercise Jurisdiction
5. Civil Cover Sheet
6. Complaint with Exhibits A-P

The documents have been attached to this letter. We would be grateful if you would confirm receipt by executing this letter and by executing the duplicate copy of the documents also appended hereto.

Yours sincerely,  
**Broadhurst Barristers**

  
Kyle Broadhurst

NANCY SAUR  
  
13 March 08  
3:55PM

Regional Head of  
Compliance & Risk  
Management (Caribbean)

Attorneys-at-Law